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John G. Rauch

Name of applicant, assignee or  
Registered Representative

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OFFICE OF PETITIONS

Our Case No. 1981/637

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fred L. Starkey

Serial No. 09/758,668

Filing Date: January 11, 2001

For METHOD AND APPARATUS FOR  
COMMUNICATION OF DATA IN A  
REMOTE TIRE MONITORING  
SYSTEM

Examiner: D. Goins

Group Art Unit No. 2632

### PETITION UNDER 37 C.F.R. § 1.78(a)(6)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. 1.78, Applicant respectfully petitions for acceptance of an unintentionally delayed claim for priority und 35 U.S.C. § 119(e) for the benefit of a prior filed provisional application.

05/19/2004 MGE BREM1 00000007 09758668

01 FC:1454 1330.00 OP

Adjustment date: 09/02/2005 AKELLEY

05/19/2004 MGE BREM1 00000007 09758668

01 FC:1454 -1330.00 OP

Repln. Ref: 09/02/2005 AKELLEY 0011305700

DAH:231925 Name/Number:09758668

FC: 9204 \$1330.00 CR

**REMARKS**

Applicant requests that the application be amended as shown below to add a reference to a prior filed provisional application number 60/176,165, filed January 14, 2000. In accordance with 37 C.F.R. § 1.78(a)(6), Applicant states as follows:

(1) Applicant requests that the Application be amended in the following manner to add a reference to the prior-filed provisional application number 60/176,165:

Please add the following new paragraph on page 1 of the Application, after the title and before the heading "BACKGROUND":

--This application claims the benefit of provisional application serial number 60/176,165, filed January 14, 2000, in the name of Fred L. Starkey.--

(2) The entire delay between the date the claim for priority was due under 37 C.F.R. § 1.78(a)(5)(ii) and the date the claim is filed herein is unintentional.

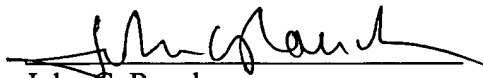
(3) The reference required by 35 U.S.C. 119(e) and 37 C.F.R. § 1.78(a)(5) is provided herein. This reference has not been previously presented in the Application itself. The Declaration signed by inventor Fred L. Starkey on 8 January 2001 and filed with the Application on January 11, 2001 did include a claim to priority of provisional application number 60/176,165.

(4) Attached is a check for \$1330.00 for the Petition fee under 37 C.F.R. § 1.17(t). Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Application no. 09/758,668  
Petition dated: May 14, 2004

Grant of this petition and addition of the reference to the prior filed provisional application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John G. Rauch", written over a horizontal line.

John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

May 14, 2004  
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